

XAVIER BECERRA
 Attorney General of California
 MARK R. BECKINGTON
 ANTHONY R. HAKL
 Supervising Deputy Attorneys General
 GABRIELLE D. BOUTIN, SBN 267308
 ANNA T. FERRARI, SBN 261579
 TODD GRABARSKY, SBN 286999
 R. MATTHEW WISE, SBN 238485
 Deputy Attorneys General
 1300 I Street, Suite 125
 P.O. Box 944255
 Sacramento, CA 94244-2550
 Telephone: (916) 210-6053
 Fax: (916) 324-8835
 E-mail: Gabrielle.Boutin@doj.ca.gov
*Attorneys for Plaintiff State of California, by and
 through Attorney General Xavier Becerra*

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

**STATE OF CALIFORNIA by and through
 Attorney General Xavier Becerra;
 COUNTY OF LOS ANGELES; CITY OF
 LOS ANGELES; CITY OF FREMONT;
 CITY OF LONG BEACH; CITY OF
 OAKLAND; CITY OF STOCKTON,**

Plaintiffs,

v.

**WILBUR L. ROSS, JR., in his official
 capacity as Secretary of the U.S.
 Department of Commerce; U.S.
 DEPARTMENT OF COMMERCE; RON
 JARMIN, in his official capacity as Acting
 Director of the U.S. Census Bureau; U.S.
 CENSUS BUREAU; DOES 1-100,**

Defendants.

3:18-cv-01865

**STIPULATION AND ~~PROPOSED~~
 ORDER RE: JOINT MOTION FOR
 ADMINISTRATIVE RELIEF**

Dept: 3
 Judge: The Honorable Richard G.
 Seeborg
 Trial Date: January 7, 2019
 Action Filed: March 26, 2018

Case No. 5:18-cv-02279

CITY OF SAN JOSE, a municipal corporation; and BLACK ALLIANCE FOR JUST IMMIGRATION, a California Non-Profit Corporation,

Plaintiffs,

v.

WILBUR L. ROSS, JR., in his official capacity as Secretary of the U.S. Department of Commerce; U.S. DEPARTMENT OF COMMERCE; RON JARMIN, in his official capacity as Acting Director of the U.S. Census Bureau; U.S. CENSUS BUREAU,

Defendants.

The Plaintiffs, Plaintiff-in-Intervention, and Defendants in the cases of *California et al. v. Ross et al.*, 18-cv-1865 and *San Jose et al. v. Ross et al.*, 18-cv-2279, hereby stipulate as follows:

1. The parties seek an order clarifying the deadline to exchange witness and exhibit lists under this Court's Standing Order and Federal Rule of Civil Procedure 26(a)(3). In the event the deadline is earlier than December 12, 2018, the parties stipulate and request an order setting December 12 as the deadline, with December 28 as the deadline for parties to lodge objections to those witness and exhibit lists.

2. The parties seek an order clarifying whether the trial proceedings in this action will be conducted over full or half days.

3. The parties stipulate and request an order permitting them to submit the direct testimony of some trial witnesses by declaration, and that the following procedures (or similar procedures) govern:

- Copies of the declaration must be submitted to the Court and served no later than December 28, 2018.

- Three business days after submission of such declarations, counsel for each party must submit a list of all declarants whom it intends to cross-examine at the trial. Only those witnesses who will be cross-examined need to appear at trial.
- The original signed declarations must be brought to trial to be marked as exhibits, at which time any objections to particular paragraphs of a declaration would be made.

IT IS SO STIPULATED.

Dated: November 28, 2018

Respectfully Submitted,

XAVIER BECERRA
Attorney General of California
MARK R. BECKINGTON
ANTHONY R. HAKL
Supervising Deputy Attorneys General
ANNA T. FERRARI
TODD GRABARSKY
R. MATTHEW WISE
Deputy Attorneys General

/s/ Gabrielle D. Boutin
GABRIELLE D. BOUTIN
Deputy Attorney General
*Attorneys for Plaintiff State of California, by and
through Attorney General Xavier Becerra*

Dated: November 28, 2018

/s/ Charles L. Coleman
CHARLES L. COLEMAN III, SBN 65496
DAVID I. HOLTZMAN
HOLLAND & KNIGHT LLP
50 California Street, 28th Floor
San Francisco, CA 94111
Telephone: (415) 743-6970
Fax: (415) 743-6910
Email: charles.coleman@hklaw.com
Attorneys for Plaintiff County of Los Angeles

1
2 Dated: November 28, 2018

MIKE FEUER
City Attorney for the City of Los Angeles

3 /s/ Valerie Flores
4 VALERIE FLORES, SBN 138572
5 Managing Senior Assistant City Attorney
200 North Main Street, 7th Floor, MS 140
6 Los Angeles, CA 90012
Telephone: (213) 978-8130
7 Fax: (213) 978-8222
Email: Valerie.Flores@lacity.org

8 Dated: November 28, 2018

HARVEY LEVINE
City Attorney for the City of Fremont

9 /s/ Harvey Levine
10 SBN 61880
11 3300 Capitol Ave.
Fremont, CA 94538
12 Telephone: (510) 284-4030
Fax: (510) 284-4031
13 Email: hlevine@fremont.gov

14 Dated: November 28, 2018

CHARLES PARKIN
City Attorney for the City of Long Beach

15 /s/ Michael J. Mais
16 MICHAEL K. MAIS, SBN 90444
17 Assistant City Attorney
333 W. Ocean Blvd., 11th Floor
18 Long Beach CA, 90802
Telephone: (562) 570-2200
19 Fax: (562) 436-1579
Email: Michael.Mais@longbeach.gov
20
21
22
23
24
25
26
27
28

1 Dated: November 28, 2018

BARBARA J. PARKER
City Attorney for the City of Oakland

2 /s/ Erin Bernstein

3 MARIA BEE
4 Chief Assistant City Attorney
5 ERIN BERNSTEIN, SBN 231539
6 Supervising Deputy City Attorney
7 MALIA MCPHERSON
8 Deputy City Attorney
9 City Hall, 6th Floor
10 1 Frank Ogawa Plaza
11 Oakland, California 94612
12 Telephone: (510) 238-3601
13 Fax: (510) 238-6500
14 Email: ebernstein@oaklandcityattorney.org

10 Dated: November 28, 2018

JOHN LUEBBERKE
City Attorney for the City of Stockton

12 /s/ John Luebberke

13 SBN 164893
14 425 N. El Dorado Street, 2nd Floor
15 Stockton, CA 95202
16 Telephone: (209) 937-8333
17 Fax: (209) 937-8898
18 Email: John.Luebberke@stocktonca.gov

16 Dated: November 28, 2018

DANNIS WOLIVER KELLEY
SUE ANN SALMON EVANS
KEITH A. YEOMANS

18 /s/ Keith A. Yeomans

19 KEITH A. YEOMANS
20 Attorneys for Plaintiff-Intervenor
21 Los Angeles Unified School District

22 Dated: November 28, 2018

MANATT, PHELPS & PHILLIPS, LLP

By: s/ Andrew Case

23 John F. Libby
24 John W. McGuinness
25 Emil Petrossian
26 Andrew Case (*pro hac vice*)
27 11355 West Olympic Boulevard
28 Los Angeles, California 90064
Telephone: (310) 312-4000
Facsimile: (310) 312-4224

**LAWYERS' COMMITTEE FOR CIVIL RIGHTS
UNDER LAW**

Kristen Clarke
Jon M. Greenbaum
Ezra D. Rosenberg
Dorian L. Spence
1401 New York Avenue NW, Suite 400
Washington, DC 20005
Telephone: (202) 662-8600
Facsimile: (202) 783-0857

PUBLIC COUNSEL

Mark Rosenbaum
610 South Ardmore Avenue
Los Angeles, California 90005
Telephone: (213) 385-2977
Facsimile: (213) 385-9089

CITY OF SAN JOSE

Richard Doyle, City Attorney
Nora Frimann, Assistant City Attorney
Office of the City Attorney
200 East Santa Clara Street, 16th Floor
San José, California 95113-1905
Telephone Number: (408) 535-1900
Facsimile Number: (408) 998-3131
E-Mail: cao.main@sanjoseca.gov

Attorneys for Plaintiffs

**CITY OF SAN JOSE and BLACK ALLIANCE FOR
JUST IMMIGRATION**

Dated: November 28, 2018

JOSEPH H. HUNT
Assistant Attorney General

BRETT A. SHUMATE
Deputy Assistant Attorney General

CARLOTTA P. WELLS
Assistant Branch Director

/s/ Kate Bailey

KATE BAILEY
STEPHEN EHRLICH
CAROL FEDERIGHI
DANIEL HALAINEN
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20530
Phone: (202) 514-923
Email: kate.bailey@usdoj.gov
Attorneys for Defendants

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, I hereby attest that concurrence in the filing of this document has been obtained from all signatories above.

Dated: November 28, 2018

/s/ Gabrielle D. Boutin
GABRIELLE D. BOUTIN

[~~PROPOSED~~] ORDER

Based on the Parties' Stipulation Re: Joint Motion for Administrative Relief and good cause appearing:

- The parties' deadline to exchange witness and exhibit lists is **Thursday, December 12, 2018**. Objections shall be lodged **Friday, December 28**.
- Trial will be conducted during the following hours:
To be determined.
- Parties may submit the direct testimony of some trial witness by declaration. The following deadline and procedures will govern:
 - Copies of each declaration must be submitted to the Court and served no later than December 28, 2018.
 - Three business days after submission of such declarations, counsel for each party must submit a list of all declarants whom it intends to cross-examine at the trial. Only those witnesses who will be cross-examined need to appear at trial.
 - The original signed declarations must be brought to trial to be marked as exhibits, at which time any objections to particular paragraphs of a declaration would be made.

IT IS SO ORDERED.

DATED: 12/3/18


HON. RICHARD SEEBORG
United States District Court Judge